



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

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EAG/JDG  
F.#2008R00530

*271 Cadman Plaza East  
Brooklyn, New York 11201*

October 29, 2010

By ECF

The Honorable Brian M. Cogan  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Thomas Gioeli, et al.  
Criminal Docket No. 08-240 (S-7) (BMC)

Dear Judge Cogan:

The government respectfully submits this letter in connection with the October 22, 2010 status conference in the above-referenced case, during which the defendants argued that they did had insufficient access to discovery. A staff attorney at the Metropolitan Detention Center in Brooklyn, New York ("Brooklyn MDC") has advised that defendants Joel Cacace, Thomas Gioeli and Dino Saracino are currently housed in Unit K-03 to enable the defendants to jointly review material provided as part of the government's discovery obligations.<sup>1</sup> The staff attorney further advised that inmates assigned to Unit K-03 may jointly review discovery in the law library on Thursdays from 12:45 p.m. to 3:45 p.m. In addition, inmates who take advantage of their

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<sup>1</sup> A staff attorney advised that Cacace has been housed on Unit K-03 since February 6, 2009. Gioeli was reassigned to Unit K-03 on or about February 26, 2010, and Saracino was reassigned to Unit K-03 on or about August 6, 2010. However, the Brooklyn MDC staff attorney advised that since September 27, 2010, Saracino has been housed in the Special Housing Unit pending a resolution of a disciplinary matter.

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assigned law library time may submit a request for additional time to individually review discovery in the attorney visit rooms.

Respectfully submitted,

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UNITED STATES ATTORNEY

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